

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

May 20, 2022

Christopher M. Wolpert
Clerk of Court

COLE MATNEY, individually and on
behalf of all others similarly situated, et al.,

Plaintiffs - Appellants,

v.

BARRICK GOLD OF NORTH
AMERICA, et al.,

Defendants - Appellees.

No. 22-4045
(D.C. No. 2:20-CV-00275-TC)
(D. Utah)

ORDER

This matter is before the court *sua sponte*. A review of Appellants' notice of appeal and the district court docket has revealed a pending Fed. R. Civ. P. 59(e) motion for reconsideration filed within 28 days after entry of the order and judgment being appealed. *See* Doc. No. 63. As a result, the notice of appeal will not become effective until the district court enters an order disposing of the motion. *See* Fed. R. App. P. 4(a)(4)(B) & 4(a)(4)(A)(iv). Accordingly, this appeal is ABATED. However, the deadlines for filing the preliminary documents remain in effect.

Entered for the Court
CHRISTOPHER M. WOLPERT, Clerk



By: Candice Manyak
Counsel to the Clerk